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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
06/555-426	11/23/83	NILSSON	0

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EXAMINER	
BEHA W	
ART UNIT	PAPER NUMBER
212	29

DATE MAILED: 07/19/84

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on MAY 29/84 This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892. 2. Notice re Patent Drawing, PTO-948.
3. Notice of Art Cited by Applicant, PTO-1449. 4. Notice of Informal Patent Application, Form PTO-152
5. Information on How to Effect Drawing Changes, PTO-1474. 6. _____

Part II SUMMARY OF ACTION

1. Claims 118, 120-122, & 124-128 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims 116, 117, 119 + 123 have been cancelled.

3. Claims _____ are allowed.

4. Claims 118, 120-122, & 124-128 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.

8. Allowable subject matter having been indicated, formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. These drawings are acceptable;
 not acceptable (see explanation).

10. The proposed drawing correction and/or the proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed _____, has been approved. disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.

12. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has been received not been received

been filed in parent application, serial no. _____; filed on _____.

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

Applicant is admonished to keep a clear line distinction between the claims of this application and US Application Ser. No. 409620, as amended. Presently, claims 122 and 124-128 of this case are not patentably distinct over claims 17 and 18 of US Application Ser. No. 409,620.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 118, and 120-122 are rejected under 35 U.S.C. 102(b) as being anticipated by Rhoads.

Reference is made to the last Office action (Paper No. 27, page 3, first three full paragraphs), for an exposition of the examiner's rationale.

Applicant's arguments filed May 29, 1984 have been fully considered but they are not deemed to be persuasive.

At the outset, claims are given the broadest

reasonable interpretation during prosecution before the Office. Whereⁿ the claims are read in this manner, it is clear that they are anticipated by Rhoads.

Thus, as to applicant's remarks that the load means in Rhoad's inverter is whatever is connected between terminals 52 and 54 of the primary winding of 12, it suffices to say that the claims only call for load means connected between a center-tap of a DC source and the midpoint of the two transistors. As to Rhoads, this would clearly include R3, C4. Thus the broad claimed recitation of load means is unambiguously anticipated by the elements including the transformer between points A and D of Rhoads.

As to the Remarks, page 3, bottom half of the page, it suffices to say that the transformer T2 of Rhoads is not an ideal transformer. Indeed the examiner is unaware of a transformer that is "ideal". All transformers have leakage inductance in their windings, some more, some less. See, for example, an example of this in Zansky. And when the inherent leakage inductance of Rhoads transformer primary winding T2 and capacitor C3 are acknowledged to be a series resonant circuit, which they are, then the claimed frequency relationship exists.

Claims 124-128 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

In essence the claims are misdescriptive. In particular, the "self-oscillating" frequency of the inverter is precisely the same as the switching frequency of the transistors. Just because the transistors do not conduct over the entire half-cycle of the resonant LC circuit does not detract^f from the fact that the transistors are precisely synchronized to the resonant circuit at a frequency that is no more or less than that of the resonant circuit.

Thus to distinguish between the inverter self-oscillating frequency and the natural resonant frequency of the LC circuit is misdescriptive, the frequencies being equal to each other.

Claims 124, 127 and 128 are also objected to since they fail to differ substantially from each other and are unduly multiplied. (37 CFR 1.75(b)).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS

FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CFR 1.136 (a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication should be directed to William H. Beha, Jr. at telephone number 703-557-5050.

Beha/dmm
703-557-5050

7/17/84

William H. Beha, Jr.

WILLIAM H. BEHA, JR.
SENIOR EXAMINER
GROUP ART UNIT 212